

COMMITTEE ON EDUCATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2075

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-203, Arizona Revised Statutes, is amended to
3 read:

4 15-203. Powers and duties

5 A. The state board of education shall:

6 1. Exercise general supervision over and regulate the conduct of the
7 public school system and adopt any rules and policies it deems necessary to
8 accomplish this purpose.

9 2. Keep a record of its proceedings.

10 3. Make rules for its own government.

11 4. Determine the policy and work undertaken by it.

12 5. Appoint its employees, on the recommendation of the superintendent
13 of public instruction.

14 6. Prescribe the duties of its employees if not prescribed by statute.

15 7. Delegate to the superintendent of public instruction the execution
16 of board policies and rules.

17 8. Recommend to the legislature changes or additions to the statutes
18 pertaining to schools.

19 9. Prepare, publish and distribute reports concerning the educational
20 welfare of this state.

21 10. Prepare a budget for expenditures necessary for proper maintenance
22 of the board and accomplishment of its purposes and present the budget to the
23 legislature.

24 11. Aid in the enforcement of laws relating to schools.

25 12. Prescribe a minimum course of study in the common schools, minimum
26 competency requirements for the promotion of pupils from the third grade and
27 minimum course of study and competency requirements for the promotion of
28 pupils from the eighth grade. The state board of education shall prepare a
29 fiscal impact statement of any proposed changes to the minimum course of
30 study or competency requirements and, on completion, shall send a copy to the

1 director of the joint legislative budget committee and the executive director
2 of the school facilities board. The state board of education shall not adopt
3 any changes in the minimum course of study or competency requirements in
4 effect on July 1, 1998 that will have a fiscal impact on school capital
5 costs.

6 13. Prescribe minimum course of study and competency requirements for
7 the graduation of pupils from high school. The state board of education
8 shall prepare a fiscal impact statement of any proposed changes to the
9 minimum course of study or competency requirements and, on completion, shall
10 send a copy to the director of the joint legislative budget committee and the
11 executive director of the school facilities board. The state board of
12 education shall not adopt any changes in the minimum course of study or
13 competency requirements in effect on July 1, 1998 that will have a fiscal
14 impact on school capital costs.

15 14. Supervise and control the certification of persons engaged in
16 instructional work directly as any classroom, laboratory or other teacher or
17 indirectly as a supervisory teacher, speech therapist, principal or
18 superintendent in a school district, including school district preschool
19 programs, or any other educational institution below the community college,
20 college or university level, and prescribe rules for certification, including
21 rules for certification of teachers who have teaching experience and who are
22 trained in other states, which are not unnecessarily restrictive and are
23 substantially similar to the rules prescribed for the certification of
24 teachers trained in this state. The rules shall require applicants for all
25 certificates for common school instruction to complete a minimum of
26 forty-five classroom hours or three college level credit hours, or the
27 equivalent, of training in research based systematic phonics instruction from
28 a public or private provider. The rules shall not require a teacher to
29 obtain a master's degree or to take any additional graduate courses as a
30 condition of certification or recertification. The rules shall allow a
31 general equivalency diploma to be substituted for a high school diploma in
32 the certification of emergency substitute teachers.

33 15. Adopt a list of approved tests for determining special education
34 assistance to gifted pupils as defined in and as provided in chapter 7,
35 article 4.1 of this title. The adopted tests shall provide separate scores

1 for quantitative reasoning, verbal reasoning and nonverbal reasoning and
2 shall be capable of providing reliable and valid scores at the highest ranges
3 of the score distribution.

4 16. Adopt rules governing the methods for the administration of all
5 proficiency examinations.

6 17. Adopt proficiency examinations for its use. The state board of
7 education shall determine the passing score for the proficiency examination.

8 18. Include within its budget the cost of contracting for the purchase,
9 distribution and scoring of the examinations as provided in paragraphs 16 and
10 17 of this subsection.

11 19. Supervise and control the qualifications of professional
12 nonteaching school personnel and prescribe standards relating to
13 qualifications.

14 20. Impose such disciplinary action, including the issuance of a letter
15 of censure, suspension, suspension with conditions or revocation of a
16 certificate, upon a finding of immoral or unprofessional conduct.

17 21. Establish an assessment, data gathering and reporting system for
18 pupil performance as prescribed in chapter 7, article 3 of this title.

19 22. Adopt a rule to promote braille literacy pursuant to section
20 15-214.

21 23. Adopt rules prescribing procedures for the investigation by the
22 department of education of every written complaint alleging that a
23 certificated person has engaged in immoral conduct.

24 24. For purposes of federal law, serve as the state board for
25 vocational and technological education and meet at least four times each year
26 solely to execute the powers and duties of the state board for vocational and
27 technological education.

28 25. Develop and maintain a handbook for use in the schools of this
29 state that provides guidance for the teaching of moral, civic and ethical
30 education. The handbook shall promote existing curriculum frameworks and
31 shall encourage school districts to recognize moral, civic and ethical values
32 within instructional and programmatic educational development programs for
33 the general purpose of instilling character and ethical principles in pupils
34 in kindergarten programs and grades one through twelve.

1 26. Require pupils to recite the following passage from the declaration
2 of independence for pupils in grades four through six at the commencement of
3 the first class of the day in the schools, except that a pupil shall not be
4 required to participate if the pupil or the pupil's parent or guardian
5 objects:

6 We hold these truths to be self-evident, that all men are
7 created equal, that they are endowed by their creator with
8 certain unalienable rights, that among these are life, liberty
9 and the pursuit of happiness. That to secure these rights,
10 governments are instituted among men, deriving their just powers
11 from the consent of the governed. . . .

12 27. Adopt rules that provide for teacher certification reciprocity.
13 The rules shall provide for a one year reciprocal teaching certificate with
14 minimum requirements including valid teacher certification from a state with
15 substantially similar criminal history or teacher fingerprinting requirements
16 and proof of the submission of an application for a fingerprint clearance
17 card pursuant to title 41, chapter 12, article 3.1.

18 28. Adopt rules that will be in effect until December 31, 2006 and that
19 provide for the presentation of an honorary high school diploma to a person
20 who has never obtained a high school diploma and who meets each of the
21 following requirements:

22 (a) Is at least sixty-five years of age.

23 (b) Currently resides in this state.

24 (c) Provides documented evidence from the Arizona department of
25 veterans' services that the person enlisted in the armed forces of the United
26 States before completing high school in a public or private school.

27 (d) Was honorably discharged from service with the armed forces of the
28 United States.

29 29. Cooperate with the Arizona-Mexico commission in the governor's
30 office and with researchers at universities in this state to collect data and
31 conduct projects in the United States and Mexico on issues that are within
32 the scope of the duties of the department of education and that relate to
33 quality of life, trade and economic development in this state in a manner
34 that will help the Arizona-Mexico commission to assess and enhance the
35 economic competitiveness of this state and of the Arizona-Mexico region.

1 30. Adopt rules to define and provide guidance to schools as to the
2 activities that would constitute immoral or unprofessional conduct of
3 certificated persons.

4 31. Adopt guidelines to encourage pupils in grades nine, ten, eleven
5 and twelve to volunteer for twenty hours of community service before
6 graduation from high school. A school district that complies with the
7 guidelines adopted pursuant to this paragraph is not liable for damages
8 resulting from a pupil's participation in community service unless the school
9 district is found to have demonstrated wanton or reckless disregard for the
10 safety of the pupil and other participants in community service. For the
11 purposes of this paragraph, "community service" may include service learning.
12 The guidelines shall include the following:

13 (a) A list of the general categories in which community service may be
14 performed.

15 (b) A description of the methods by which community service will be
16 monitored.

17 (c) A consideration of risk assessment for community service projects.

18 (d) Orientation and notification procedures of community service
19 opportunities for pupils entering grade nine, including the development of a
20 notification form. The notification form shall be signed by the pupil and
21 the pupil's parent or guardian, except that a pupil shall not be required to
22 participate in community service if the parent or guardian notifies the
23 principal of the pupil's school in writing that the parent or guardian does
24 not wish the pupil to participate in community service.

25 (e) Procedures for a pupil in grade nine to prepare a written proposal
26 that outlines the type of community service that the pupil would like to
27 perform and the goals that the pupil hopes to achieve as a result of
28 community service. The pupil's written proposal shall be reviewed by a
29 faculty advisor, a guidance counselor or any other school employee who is
30 designated as the community service program coordinator for that school. The
31 pupil may alter the written proposal at any time before performing community
32 service.

33 (f) Procedures for a faculty advisor, a guidance counselor or any
34 other school employee who is designated as the community service program

1 coordinator to evaluate and certify the completion of community service
2 performed by pupils.

3 32. To facilitate the transfer of military personnel and their
4 dependents to and from the public schools of this state, pursue, in
5 cooperation with the Arizona board of regents, reciprocity agreements with
6 other states concerning the transfer credits for military personnel and their
7 dependents. A reciprocity agreement entered into pursuant to this paragraph
8 shall:

9 (a) Address procedures for each of the following:

10 (i) The transfer of student records.

11 (ii) Awarding credit for completed course work.

12 (iii) Permitting a student to satisfy the graduation requirements
13 prescribed in section 15-701.01 through the successful performance on
14 comparable exit-level assessment instruments administered in another state.

15 (b) Include appropriate criteria developed by the state board of
16 education and the Arizona board of regents.

17 33. Adopt guidelines that school district governing boards shall use in
18 identifying pupils who are eligible for gifted programs and in providing
19 gifted education programs and services. The state board of education shall
20 adopt any other guidelines and rules that it deems necessary in order to
21 carry out the purposes of chapter 7, article 4.1 of this title.

22 34. For each of the alternative textbook formats of human-voiced audio,
23 large-print and braille, designate alternative media producers to adapt
24 existing standard print textbooks or to provide specialized textbooks, or
25 both, for pupils with disabilities in this state. Each alternative media
26 producer shall be capable of producing alternative textbooks in all relevant
27 subjects in at least one of the alternative textbook formats. The board
28 shall post the designated list of alternative media producers on its website.

29 35. Adopt a list of approved professional development training
30 providers for use by school districts as provided in section 15-107,
31 subsection J. The professional development training providers shall meet the
32 training curriculum requirements determined by the state board of education
33 in at least the areas of school finance, governance, employment, staffing,
34 inventory and human resources, internal controls and procurement.

1 36. Adopt rules to prohibit a person who violates the notification
2 requirements prescribed in section 15-183, subsection C, paragraph 6 or
3 section 15-550, subsection C from certification pursuant to this title until
4 the person is no longer charged or is acquitted of any offenses listed in
5 section 41-1758.03, subsection B. The board shall also adopt rules to
6 prohibit a person who violates the notification requirements, certification
7 surrender requirements or fingerprint clearance card surrender requirements
8 prescribed in section 15-183, subsection C, paragraph 7 or section 15-550,
9 subsection D from certification pursuant to this title for at least ten years
10 after the date of the violation.

11 37. AUTHORIZE ALTERNATIVE TEACHER PREPARATION PROGRAMS THAT ARE IN
12 ADDITION TO THE TEACHER PREPARATION PROGRAMS OFFERED AT POSTSECONDARY
13 EDUCATIONAL INSTITUTIONS. SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL ASSESS
14 THE EFFECTIVENESS OF TEACHERS WHO ARE TRAINED PURSUANT TO THIS PARAGRAPH
15 THROUGH EVALUATION PROCEDURES APPROVED BY THE STATE BOARD. SCHOOL DISTRICTS
16 AND CHARTER SCHOOLS MAY HIRE PERSONS WHO ARE TRAINED PURSUANT TO THIS
17 PARAGRAPH AND MAY COOPERATE WITH PUBLIC AND PRIVATE TEACHER PREPARATION
18 PROVIDERS TO RECRUIT NEW TEACHING CANDIDATES FOR EMPLOYMENT. PERSONS WHO
19 COMPLETE AN ALTERNATIVE TEACHER TRAINING PROGRAM AUTHORIZED BY THE STATE
20 BOARD OF EDUCATION PURSUANT TO THIS PARAGRAPH AND WHO COMPLY WITH THE OTHER
21 REQUIREMENTS OF THIS SECTION SHALL BE ISSUED A PROVISIONAL CERTIFICATE TO
22 TEACH IN THIS STATE. THE STATE BOARD MAY ALLOW APPLICANTS FOR PROVISIONAL
23 CERTIFICATION TO PASS ONE OR MORE EXAMINATIONS THAT ARE INTEGRATED INTO THE
24 ALTERNATIVE TEACHER PREPARATION PROGRAMS PRESCRIBED IN THIS PARAGRAPH.
25 SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL SUBMIT AN ANNUAL REPORT ON OR
26 BEFORE SEPTEMBER 15 TO THE STATE BOARD THAT SUMMARIZES THE OUTCOMES OF THE
27 MENTORING AND STUDENT TEACHING PROGRAMS PRESCRIBED IN SUBDIVISION (g) OF THIS
28 PARAGRAPH AND ANY OTHER INFORMATION REQUIRED BY THE STATE BOARD. THE STATE
29 BOARD SHALL AUTHORIZE ALTERNATIVE TEACHER PREPARATION PROGRAMS OFFERED BY
30 PUBLIC AND PRIVATE PROVIDERS, AND THOSE PROVIDERS SHALL:

31 (a) ACCEPT APPLICANTS WHO HAVE AT LEAST A BACHELOR'S DEGREE FROM A
32 REGIONALLY ACCREDITED POSTSECONDARY EDUCATIONAL INSTITUTION AND WHO OTHERWISE
33 MEET THE OTHER ADMISSION REQUIREMENTS OF THE PROVIDER.

34 (b) REQUIRE APPLICANTS TO PASS AN EXAMINATION THAT TESTS THEIR
35 KNOWLEDGE OF ACADEMIC CONTENT AND TEACHING SKILLS.

1 (c) PROVIDE A COURSE OF STUDY THAT IS ALIGNED WITH THE CONTENT AND
2 TEACHING SKILLS EXAMINATION.

3 (d) LIMIT THE NUMBER OF TIMES AN APPLICANT MAY ATTEMPT TO PASS THE
4 CONTENT AND SKILLS EXAMINATION TO NO MORE THAN THREE ATTEMPTS.

5 (e) REQUIRE APPLICANTS TO COMPLY WITH THE FINGERPRINTING REQUIREMENTS
6 PRESCRIBED IN SECTION 15-534.

7 (f) REQUIRE APPLICANTS TO OBTAIN ANY ADDITIONAL TRAINING REQUIRED FOR
8 SYSTEMATIC PHONICS INSTRUCTION AND STRUCTURED ENGLISH IMMERSION INSTRUCTION.

9 (g) PROVIDE, IN PARTNERSHIP WITH SCHOOL DISTRICTS AND CHARTER SCHOOLS,
10 EITHER:

11 (i) A STUDENT TEACHING COMPONENT. ALL STUDENT TEACHING COMPONENTS
12 SHALL INCLUDE A FULL-TIME, IN-CLASSROOM CERTIFICATED TEACHER WHO SHALL
13 PROVIDE SUPPORT TO THE STUDENT TEACHER.

14 (ii) A MENTORING AND OBSERVATION COMPONENT THAT CONCLUDES WITH
15 RECOMMENDATIONS FOR PROFESSIONAL DEVELOPMENT OR ADDITIONAL MENTORING.
16 TEACHERS WHO TEACH USING THIS COMPONENT SHALL COMPLETE PROFESSIONAL
17 DEVELOPMENT CONSISTENT WITH THE RECOMMENDATIONS OF THE MENTOR BEFORE THE
18 APPLICANT'S TEACHING CERTIFICATE IS RENEWED.

19 B. The state board of education may:

20 1. Contract.

21 2. Sue and be sued.

22 3. Distribute and score the tests prescribed in chapter 7, article 3
23 of this title.

24 4. Provide for an advisory committee to conduct hearings and
25 screenings to determine whether grounds exist to impose disciplinary action
26 against a certificated person, whether grounds exist to reinstate a revoked
27 or surrendered certificate and whether grounds exist to approve or deny an
28 initial application for certification or a request for renewal of a
29 certificate. The board may delegate its responsibility to conduct hearings
30 and screenings to its advisory committee. Hearings shall be conducted
31 pursuant to title 41, chapter 6, article 6.

32 5. Proceed with the disposal of any complaint requesting disciplinary
33 action or with any disciplinary action against a person holding a certificate
34 as prescribed in subsection A, paragraph 14 of this section after the

1 suspension or expiration of the certificate or surrender of the certificate
2 by the holder.

3 6. Assess costs and reasonable attorney fees against a person who
4 files a frivolous complaint or who files a complaint in bad faith. Costs
5 assessed pursuant to this paragraph shall not exceed the expenses incurred by
6 the state board in the investigation of the complaint."

7 Amend title to conform

and, as so amended, it do pass

RICH CRANDALL
Chairman

2075-se-ed
2/23/09
H:jjb

2075rc2.doc
02/12/2009
08:08 AM
C: tdb